IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 12013 of 2004

Between:

1) R.Appa Rao, S/o Late R.Appanna, Occ: Asst. B.C.Welfare Officer, Narsipatnam, Visakhapatnam District
2) K.Ch.Appala Raju, S/o Late K.Butchi Raju, Occ: Asst. B.C.Welfare

Officer, Sankshema Bhavan, Visakhapatnam
3) K.Suri Babu, S/o K.R.Avataram, Asst. B.C.Welfare Officer, Urban, Vizianagaram
4) M.Prakasa Rao, S/o Surya Rao, Asst. B.C.Welfare Officer, Srikakulam-1, Srikakulam

..... PETITIONERS

AND

1) The Director of B.C.Welfare, Andhra Pradesh, Hyderabad
2) The District Collector, Visakhapatnam District, Visakhapatnam Post and District
3) G.Lakshmi Prasad, Govt. B.C.Boys Hostel, Chinamerangi, J.M.Valasa

Mandal, Vizianagaram District.

4) The Government of Andhra Pradesh, rep.by its Prinipal Secretary,

B.C.Welfare Department, A.P.Secretariat, Hydeabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Hon'ble Tribunal in not suspending the operation of Rc.No.A1/10052/03, dated 13-04-2004 of the 1st respondent as contrary to law and further set aside the same and also further orders of the Hon' ble Administrative Tribunal in O.A.No.2772/2004 dated 14-05-2004 and consequential orders of the 2nd respondent in Rc.No.A1/39/04/BCW dated 25-06-2004, and pass such other orders that the Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.B.NAGESWARA RAO, Advocate.

Counsel for the Respondent No.1, 2 & 4: GP FOR SERVICES-II

Counsel for the Respondent No.3: None Appeared.

The Court at the admission stage made the following:

<u>O R D E R</u>: - (Per Hon'ble Sri Justice G.Bikshapathy)

This writ petition is filed challenging the order passed by the learned Tribunal in O.A.No.2772/2004 refusing to grant any interim relief. The O.A was filed by the petitioners challenging the letter of the first respondent in Rc.No.A1/10052/2003, dated 13.4.2000. The Tribunal observed that no final orders have been passed, and therefore, there was no occasion for the Tribunal to consider grant of interim order. However, the Tribunal observed as follows: -

``*Keeping the above circumstances, I am not inclined to grant any interim order. It is however, made clear that the pendency of the O.A does not preclude the authorities from taking any further action in the matter after giving an opportunity of representation to the applicants. Any such action taken would however be subject to the result of the O.A.*

2. Against the said order, the present writ petition has been filed.

3. Having heard the learned counsel for the petitioner and the learned Government Pleader, we are of the considered view that the order does not require any interference by this Court. The petitioners have to await the final decision of the Tribunal in this regard.

4. Accordingly, the writ petition is dismissed. No costs.

July 14, 2004.

Sd/-

ASSISTANT REGISTRAR.

// True Copy//

Section Officer.

To

1) The Director of B.C.Welfare, Andhra Pradesh, Hyderabad
2) The District Collector, Visakhapatnam District,
   Visakhapatnam Post and District
3) The Prinipal Secretary, Govt. of Andhra Pradesh,

B.C.Welfare Department, A.P.Secretariat, Hydeabad.

4) 2CCs to G.P for Services II, High Court of A.P.Hyd.(OUT)

5) 2CD copies

6) The A.P.Administrative Tribunal, Hyderabad.

Rar/Mrr